

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re. Appln.: Marc Varlet  
Serial No.: 10/576,592  
Filed: April 19, 2006  
Int'l Appl. No.: PCT/FR04/002630  
Int'l Filing Date: October 14, 2004  
For: METHOD OF PRODUCING A MOUND OF EARTH  
Attorney Docket No.: 33155.35  
Attorney: Gerald E. Helget  
Additional Fees: Charge to Deposit Account No. 023732

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL COVER LETTER**

Sir:

Enclosed for filing please find the following:

1. Transmittal Letter to the United States DO/EO/US Concerning a Submission Under 35 U.S.C. 371 (3 pages);
2. English Translation with certification (19 pgs.);
3. Preliminary Amendment (6 pgs.);
4. Certified copy of French application (12 pgs.); and
5. Postcard Receipt.

Respectfully submitted,

Dated: 17 May 06

By 

Gerald E. Helget (Reg. No. 30,948)  
BRIGGS AND MORGAN  
2200 IDS Center, 80 South Eighth Street  
Minneapolis, MN 55402  
Telephone: (612) 977-8480

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this document, as well as the above-identified documents, are being deposited with the United States Postal Service as Express Mail, Receipt No. 9T086350641US an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the dated indicated below.

By 

Date 17 May 06

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 33155.35
		<b>U.S. APPLICATION NO.</b> (If known, see 37 CFR 1.5) 10/576,592
<b>INTERNATIONAL APPLICATION NO.</b> PCT/FR04/02630	<b>INTERNATIONAL FILING DATE</b> 14 October 2004	<b>PRIORITY DATE CLAIMED</b> 20 October 2003
<b>TITLE OF INVENTION</b> METHOD OF PRODUCING A MOUND OF EARTH		
<b>APPLICANT(S) FOR DO/EO/US</b> Marc Varlet		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> is attached hereto.</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ol></li><li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li><li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li><li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li></ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/576,592</b>	INTERNATIONAL APPLICATION NO. <b>PCT/FR04/02630</b>	ATTORNEY'S DOCKET NUMBER <b>33155.35</b>
20. Other items or information: Certified copy of French application number 0312254, filed October 20, 2003; English translation of a set of new claims		
The following fees are submitted:		<b>CALCULATIONS</b>
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....\$300		<b>PTO USE ONLY</b>
22. <input type="checkbox"/> Examination Fee (37 CFR 1.492(c))		
If the written opinion prepared by ISA/US to the international preliminary examination report prepared By IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0		
All other situations .....\$200		
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))		
If the written opinion prepared by ISA/US to the international preliminary examination report prepared By IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0		
Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority .....\$100		
International Search Report prepared by an ISA other than the US and provided in the Office or previously communicated to the US by the IB.....\$400		
All other situations .....\$500		
<b>TOTAL OF 21, 22 and 23 =</b>		<b>\$ 0</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821 (c) or (e) computer program listing filed in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
- 100 =	0/50 =	x \$250
		<b>\$ 0</b>
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		<b>\$</b>
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	- 20 =	0
Independent claims	- 3 =	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$ 0</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		<b>\$</b>
<b>SUBTOTAL =</b>		<b>\$</b>
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+
<b>TOTAL NATIONAL FEE =</b>		<b>\$</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+
<b>TOTAL FEES ENCLOSED =</b>		<b>\$</b>
		<b>Amount to be refunded:</b>
		<b>\$</b>
		<b>Amount to be charged:</b>
		<b>\$</b>

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment of Deposit Account No. 023732 . A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charge to a credit card. **WARNING** : Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.37(a) or (b)) must be filed and granted to restore the International Application to pending status.

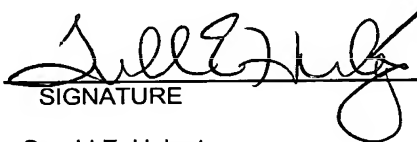
SEND ALL CORRESPONDENCE TO:

Gerald E. Helget

Briggs and Morgan, P.A.

80 South Eighth Street, Suite 2200

Minneapolis, MN 55402

  
SIGNATURE

Gerald E. Helget

NAME

30,948

REGISTRATION NUMBER